

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DEMAIN DOMINGUEZ,
Petitioner,
vs.
BRIAN E. WILLIAMS, *et al.*,
Respondents.

2:12-cv-01608-JCM-PAL

ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner.

Petitioner has submitted a motion for leave to proceed *in forma pauperis* and a petition for a writ of habeas corpus. Based on the information regarding petitioner's financial status, the motion to proceed *in forma pauperis* is denied. Petitioner must pay the filing fee of \$5.00. However, petitioner shall be given an opportunity to pay the fee in this action prior to dismissal.

IT IS THEREFORE ORDERED that the motion for leave to proceed *in forma pauperis* (ECF No. 2) is **DENIED**. Petitioner shall have **thirty (30) days** from the date this order is entered in which to have the \$5.00 filing fee sent to the clerk of court. Failure to do so may result in the dismissal of this action.

1 **IT IS FURTHER ORDERED** that the clerk of court **SHALL SEND** petitioner two copies
2 of this order. Petitioner is ordered to make the necessary arrangements to have one copy of this order
3 attached to the check in the amount of the full \$5 filing fee.

4 **IT IS FURTHER ORDERED** that the clerk of court shall **RETAIN** the petition but not file
5 it at this time.

Dated November 27, 2012.

JAMES C. MEEHAN
UNITED STATES DISTRICT JUDGE